

UNITED STATES DEPARTMENT OF JUSTICE  
EXECUTIVE OFFICE FOR IMMIGRATION REVIEW  
OFFICE OF THE CHIEF ADMINISTRATIVE HEARING OFFICER  
ADMINISTRATIVE REVIEW AND ACTION BY THE  
CHIEF ADMINISTRATIVE HEARING OFFICER

UNITED STATES OF AMERICA, )  
Complainant )  
 )  
v. ) 8 U.S.C. 1324a Proceeding  
 ) Case No. 89100162  
 )  
NU LOOK CLEANERS OF )  
PEMBROKE PINES, INC. )  
Respondent )  
\_\_\_\_\_ )

DENIAL OF RESPONDENT'S REQUEST FOR  
ADMINISTRATIVE REVIEW

On March 8, 1991, the Administrative Law Judge assigned to this case, Nancy M. Sherman, issued an order entitled Order Denying Respondent's Motion to Recuse, Denying Respondent's Request for Attorney's Fees Under EAJA, Reitering Viability of Order Rejecting Notice of Withdrawal by Respondent's Counsel, and Granting Extension of Time to Respond to Complainant's Motion to Compel/Motion for Sanctions. On March 22, 1991, the Office of the Chief Administrative Hearing Officer (hereinafter OCAHO) received from Respondent a request for administrative review.

Pursuant to the applicable Rules of Practice and Procedure, 28 C.F.R. Section 68.51(a) states that a party has five days from the date of the ALJ's order to request an administrative review. The regulations grant an additional five days, when, as here, a party has been served by mail. See Section 68.7(a). Weekends and holidays are excluded from the tabulation during the first five days. Therefore, the respondent in this case had until March 20, 1991, to file a request for administrative review of the ALJ's Order of March 8, 1991.

Under Section 68.7(b), pleadings are not deemed filed until received by the OCAHO. Because the request for administrative review was filed with this office after March 20, 1991, it cannot be considered

timely. Therefore, the Chief Administrative Hearing Officer hereby denies the Respondent's request for administrative review.

**SO ORDERED** this 25th day of March, 1991.

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JACK E. PERKINS  
Chief Administrative Hearing Officer